

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OHIO  
WESTERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

V.

JEREMY DAVID ADAMS,

Defendant.

CASE NO. 3:21-CR-504

JUDGE JEFFREY J. HELMICK

## RESPONSE TO THE GOVERNMENT'S MOTION IN LIMINE No. 2

Jeremy Adams, by and through counsel, submits this response to the government's Motion in Limine No. 2. (Doc. No. 150). The government moved this Court to prohibit two things: (1) Mr. Adams presenting his out-of-court exculpatory statements through witnesses or other means; and (2) the defense mentioning potential penalties. For the reasons that follow, Mr. Adams asks the Court to deny the government's motion in part.

As an initial matter, Mr. Adams does not contest the government's motion to the extent it seeks to prohibit testimony or argument mentioning potential penalties. Neither does Mr. Adams contest the motion to the extent it seeks to prohibit him from introducing his out-of-court exculpatory statements through other witnesses.

But the government’s motion purports to prohibit Mr. Adams from presenting his out-of-court exculpatory statements through “other means,” and this is the point Mr. Adams contests. Mr. Adams recognizes Sixth Circuit precedent prohibiting the introduction of his out-of-court exculpatory statements through the testimony of other witnesses. *United States v. Ford*, 761 F.3d 641, 651-52 (6th Cir. 2014). But this limitation applies to the testimony of other witnesses, not all other means. Mr. Adams retains his right to present a defense and therefore asks the Court to

deny the government's liminal motion to the extent it seeks to prohibit him from offering a defense by other means.

Respectfully submitted,  
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